

1 PHILLIP A. TALBERT
United States Attorney
2 JASON HITT
Assistant United States Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4

5 Attorneys for Plaintiff
United States of America
6

7 IN THE UNITED STATES DISTRICT COURT
8
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 KAMIL MISZTAL,
14 Defendant.

CASE NO. 2:22-MJ-00067-AC

STIPULATION AND [PROPOSED] ORDER FOR
EXTENSION OF TIME FOR PRELIMINARY
HEARING PURSUANT TO RULE 5.1(d) AND
EXCLUSION OF TIME

15
16 Plaintiff United States of America, by and through its attorney of record, Assistant United States
17 Attorney Jason Hitt, and defendant Kamil Misztal, both individually and by and through his counsel of
18 record, John Kucera, Esq., hereby stipulate as follows:

19 1. The Complaint in this case was filed on April 29, 2022, and defendant first appeared
20 before a judicial officer of the Court in which the charges in this case were pending on May 12, 2022.
21 The court set a preliminary hearing date of June 2, 2022, and later extended it to August 12, 2022, by
22 stipulation.

23 2. By this stipulation, the parties jointly move for an extension of time of the preliminary
24 hearing date to October 7, 2022, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d)
25 of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the
26 defense reasonable time for preparation, and for the government's continuing investigation of the case.
27 The parties further agree that the interests of justice served by granting this continuance outweigh the
28 best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The

1 government has provided initial disclosure in the case and it consists of written reports, photographs,
2 audio files, and related materials.

3 3. The parties agree that good cause exists for the extension of time, and that the extension
4 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
5 Therefore, the parties request that the time between August 12, 2022, and October 7, 2022, be excluded
6 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

7

8 IT IS SO STIPULATED.

9
10 Dated: August 11, 2022

PHILLIP A. TALBERT
United States Attorney

11

/s/ Jason Hitt
JASON HITT
Assistant United States Attorney

14

Dated: August 11, 2022

/s/ John Kucera
JOHN KUCERA, Esq.
Counsel for Defendant
Kamil Misztal

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
IN THE UNITED STATES DISTRICT COURT
6
EASTERN DISTRICT OF CALIFORNIA
7
8

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 KAMIL MISZTAL,

13 Defendant.
14

CASE NO. 2:22-MJ-00067-AC

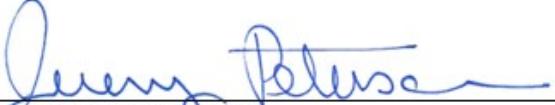
[PROPOSED] ORDER GRANTING EXTENSION
OF TIME FOR PRELIMINARY HEARING
PURSUANT TO RULE 5.1(d) AND EXCLUSION
OF TIME

15
16 The Court has reviewed the stipulation of the parties in this matter requesting an extension of
17 time of the preliminary hearing date to October 7, 2022, at 2:00 p.m., pursuant to Rule 5.1(d) of the
18 Federal Rules of Criminal Procedure. Based upon the representations of the parties, the Court makes the
19 following findings:

20 1. Good cause exists to extend the preliminary hearing set for August 12, 2022, at 2:00
p.m., before the assigned duty Magistrate Judge. Fed. R. Crim. P. Rule 5.1(d); and
21
22 2. The interests of justice served by granting this continuance outweigh the best interests
of the public and the defendant in a speedy trial and time is therefore excluded from
the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), Local Code T4.
23

24 **IT IS SO ORDERED.**

25 Dated: August 11, 2022

26
27
28


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE